

ORDERED.

Dated: August 18, 2016

  
\_\_\_\_\_  
Karen S. Jennemann  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re	)	
	)	
ORLANDO GATEWAY PARTNERS,	)	Case No. 6:15-bk-03448-KSJ
LLC,	)	Chapter 7
	)	
Debtor.	)	
_____	)	
ORLANDO GATEWAY PARTNERS,	)	
LLC,	)	
	)	
Plaintiff,	)	
vs.	)	Adversary No. 6:15-ap-00084-KSJ
	)	
GOOD GATEWAY, LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**ORDER GRANTING MOTION FOR ATTORNEYS' FEES AND COSTS**

Good Gateway, LLC, and SEG Gateway, LLC's (the "Gateway Entities") seek attorney fees and costs incurred during a two-day, approximately 10 hour trial<sup>1</sup> on the sanctions due to them for discovery abuses that occurred during the underlying state court trial in this removed

<sup>1</sup> The parties presented evidence on October 8, 2016 (approximately 6 hours) and on October 13, 2015 (approximately 4 hours). Doc. Nos. 115 and 123.

adversary proceeding.<sup>2</sup> An objection was filed.<sup>3</sup> The Motion was preliminarily granted in this Court's Order Preliminarily Granting Motion for Attorneys' Fees.<sup>4</sup> The Court awarded the Gateway Entities \$28,000 in attorneys' fees but noted that it had no information on costs. The Court directed the Gateway Entities to file an affidavit of costs directly related to the trial held in this Court on the sanctions due under state court orders for discovery and litigation abuses (the "Sanction Orders").<sup>5</sup> The Gateway Entities filed the affidavit on August 16, 2016.<sup>6</sup>

The affidavit outlines the costs incurred by the Gateway Entities for the two day trial. Exhibit A includes a detailed chart of the costs<sup>7</sup> and requests a total of \$16,766.33 plus \$711.84 in interest. The Court matched up each itemized request with an invoice. The Court finds the cost request is reasonable and appropriate. The costs are directly related to the trial held on the amount due under the Sanction Orders. The Court will exclude the \$711.84 in interest. Interest will be calculated on this award of fees and costs from the date this order is entered.

Accordingly, it is **ORDERED**:

1. The Gateway Entities are entitled to \$28,000 in attorneys' fees for time spent litigating the amount due under the Sanction Orders.
2. The Gateway Entities are entitled to \$16,766.33 in costs for litigating the amount due under the Sanction Orders.
3. Orlando Gateway Partners, LLC, Nilhan Hospitality, LLC, Chittranjan K. Thakkar, Niloy & Rohan, LLC, Nilhan Financial, LLC, NCT Systems, Inc., and Niloy Inc., doing business as DCT Systems, Inc. are **jointly and severally liable** for the fees and costs awarded under this Order in the total amount of **\$44,766.33**.

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<sup>2</sup> Doc. No. 270.

<sup>3</sup> Doc. No. 272.

<sup>4</sup> Doc. No. 298.

<sup>5</sup> Doc. No. 249, PP. 2-5 (describing the five state court orders).

<sup>6</sup> Doc. No. 303.

<sup>7</sup> Doc. No. 303, Exh. A.

4. Per diem interest calculated on this award will continue to accrue on a simple, non-compounded rate of 4.75% in the amount of \$5.83 per day starting on August 19, 2016.

Copies furnished to:

Attorney, Clay Townsend, is directed to serve a copy of this order on all interested parties and file a proof of service within three days of entry of the order.